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UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

In Re: Chapter 13
Andrew C. Borden,
Debtor

Bankruptcy Case # 09-29392 (RG)
Adversary Case No 09-2739 (RG)

Andrew C. Borden
Plaintiff,

Vs
US Bank Home Mortgage
Defendant.

_____x

**Stipulation of Dismissal with
Prejudice as to Defendant**

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, the attorneys of record for plaintiff and defendant in the above-captioned action, that whereas no party hereto is an infant, incompetent person for whom a committee has been appointed or conservatee and no person not a party has an interest in the subject matter of the action, that the above entitled action and all claims, counterclaims, and/or cross claims that were or could have been made herein are hereby dismissed as against Defendant with prejudice pursuant to Fed. R. Civ. P. 41(a)(1)(ii), in all forums, without costs to any party as against any other, and with each party bearing its own legal costs and expenses. Plaintiff, for himself, his heirs, agents, and assigns hereby releases, acquits and forever discharges defendant and its predecessors, successors, officers, directors, shareholders, agents, parents, subsidiaries, affiliates, related companies, partners, attorneys, and employees, none of whom admit any liability, but all of whom expressly deny any liability, from any and all claims, actions, causes of action (whether arising in contract, tort, by statute or otherwise), demands, promises, agreements, judgments, liens, suits, rights, losses, defenses, expenses (including attorneys fees), debts, liabilities, rights, damages, costs, and expenses that were brought or could have been brought in the this action and/or regarding the loan at issue in this action."

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